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Please reply to New York

February 13, 2025

## VIA ECOURTS FILING

Honorable Lewis J. Liman, U.S.D.J.

United States District Court Southern District of New York

Daniel Patrick Moynihan

United States Courthouse

500 Pearl St.

New York, NY 10007-1312

RE: **CATLIN INSURANCE VS. CHAMP CONSTRUCTION, ET AL.**

Our File No. : 94407a SME  
Docket No. : 1:24-CV-4499

Dear Judge Liman:

This office represents Plaintiff Catlin Insurance Company (“Catlin”) in this matter. Kindly accept this letter in response to the Declaration of Counsel filed in support of Defendant Continental Casualty Company’s request to join Gilsanz, Murray, Steficek, LLP’s Motion to Dismiss the Amended Complaint, ECF No. 131. Specifically, Catlin requests that Continental Casualty Company’s (“Continental”) request to join in a pending Motion to Dismiss simply by filing a Declaration should be denied.

Local Rule 7.1(a) requires that all motions include a notice of motion, memorandum of law, supporting affidavits and exhibits. The lone exception is for “letter-motions” as defined by L.R. 7.1(e). Id. at 7.1. Local Rule 7.1(e) limits “letter-motions” to “[a]pplications for extensions or adjournments, applications for a premotion conference, and similar **non-dispositive matters** may be brought by letter motion. Other motions cannot be brought by letter-motion unless authorized by the judge’s individual practices or order issued in a particular case.” (L.R. 7.1(e) (emphasis added)).

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Here, Continental is seeking dispositive relief via an attorney declaration without the requisite components of a dispositive motion. Therefore, Continental's informal request for relief must be denied for failure to comply with the Court Rules.

Respectfully submitted,

**METHFESSEL & WERBEL, ESQS.**



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